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for FY 2004

Effective 10/03/2003. Patent fees are subject to annual revision.

☐ claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known

Application Number 10/663,294

Filing Date September 16, 2003

First Named Inventor Brad W. Lorton et al.

Examiner Name Elizabethh A. Shaw

Art Unit 3644

Attorney Docket No. 9948IP-000017/COB

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number

08-0750

Deposit
Account
Name

Harness, Dickey & Pierce, P.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20 **	=	0	X	Fee from below	=	0	Fee Paid
Independent Claims		-3 **	=	0	X		=	0	
Multiple Dependent					X		=	0	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

110

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 110)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Michael E. Hilton Registration No. (Attorney/Agent) 33,509 Telephone (248) 641-1600

Signature *Michael E. Hilton* Date June 10, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
9948IP-000017/COB

In re Application of: Brad W. Lorton et al.

Application No. 10/663,294

Filed: September 16, 2003

For: METHOD FOR ENHANCING POULTRY PRODUCTION

The owner*, CTB IP, INC. of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,655,320. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney of record.

 6/9/04
Signature Date

Victoria L. Garrett

Typed or printed name

(302) 656-2138

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/15/2004 CCHRU1 00000133 10663294

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110.00 OP



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HARNES, DICKEY & PIERCE, P.L.C. PTAS
STEPHEN J. FOSS
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov



102028379A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/12/2002

REEL/FRAME: 012691/0023
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CTB, INC.

DOC DATE: 10/01/2001

ASSIGNEE:
CTB IP, INC.
300 DELAWARE AVE., 9TH FLOOR
WILMINGTON, DELAWARE 19801

SERIAL NUMBER: 09822378
PATENT NUMBER:

FILING DATE: 03/30/2001
ISSUE DATE:

SERIAL NUMBER: 09836516
PATENT NUMBER:

FILING DATE: 04/17/2001
ISSUE DATE:

SERIAL NUMBER: 60267912
PATENT NUMBER:

FILING DATE: 02/09/2001
ISSUE DATE:

SERIAL NUMBER: 08126270
PATENT NUMBER: 5421379

FILING DATE: 09/24/1993
ISSUE DATE: 06/06/1995

SERIAL NUMBER: 08540427
PATENT NUMBER: 5608359

FILING DATE: 10/10/1995
ISSUE DATE: 03/04/1997

SERIAL NUMBER: 08801953
PATENT NUMBER: 5906293

FILING DATE: 02/18/1997
ISSUE DATE: 05/25/1999

SERIAL NUMBER: 08160397
PATENT NUMBER: 5567200

FILING DATE: 12/01/1993
ISSUE DATE: 10/22/1996

SERIAL NUMBER: 08183125
PATENT NUMBER: 5492082

FILING DATE: 01/18/1994
ISSUE DATE: 02/20/1996

SERIAL NUMBER: 08545340
PATENT NUMBER: 5839597

FILING DATE: 10/19/1995
ISSUE DATE: 11/24/1998

SERIAL NUMBER: 29013481
PATENT NUMBER: D365575

FILING DATE: 09/24/1993
ISSUE DATE: 12/26/1995

SERIAL NUMBER: 29015911
PATENT NUMBER: D363117

FILING DATE: 12/01/1993
ISSUE DATE: 10/10/1995

SERIAL NUMBER: 09099971
PATENT NUMBER: 6273244

FILING DATE: 06/19/1998
ISSUE DATE: 08/14/2001

SERIAL NUMBER: 29015903
PATENT NUMBER: D363982

FILING DATE: 12/01/1993
ISSUE DATE: 11/07/1995

SERIAL NUMBER: 29049328
PATENT NUMBER: D410077

FILING DATE: 01/23/1996
ISSUE DATE: 05/18/1999

SERIAL NUMBER: 09294750-
PATENT NUMBER: 6061968

FILING DATE: 04/19/1999
ISSUE DATE: 05/16/2000

SERIAL NUMBER: 08333843
PATENT NUMBER: 5544686

FILING DATE: 11/03/1994
ISSUE DATE: 08/13/1996

SERIAL NUMBER: 08871219
PATENT NUMBER: 6039647

FILING DATE: 06/09/1997
ISSUE DATE: 03/21/2000

SERIAL NUMBER: 09277316
PATENT NUMBER: 6102195

FILING DATE: 03/26/1999
ISSUE DATE: 08/15/2000

SERIAL NUMBER: 08697644
PATENT NUMBER: 5769590

FILING DATE: 08/29/1996
ISSUE DATE: 06/23/1998

SERIAL NUMBER: 08995318
PATENT NUMBER: 5893399

FILING DATE: 12/22/1997
ISSUE DATE: 04/13/1999

SERIAL NUMBER:
PATENT NUMBER:
PCT NUMBER: US9410765

FILING DATE:
ISSUE DATE:

012691/0023 PAGE 3

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

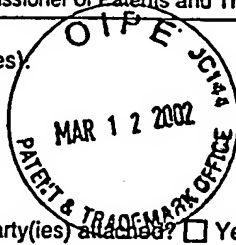
RECORDATION FORM COVER SHEET
PATENTS ONLY

Attorney Docket No. 9948

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):
CTB, Inc.



Additional name of conveying party(ies) attached? ☐ Yes ☐ No

2. Name and address of receiving party(ies)

Name: CTB IP, INC.

Internal Address:

Street Address: 300 Delaware Ave., 9th Floor

City: Wilmington State: Delaware Zip: 19801

Additional Name(s) & address(es) attached? ☐ Yes ☐ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date(s): 10 - 01 - 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

5,544,686 5,769,590

6,039,647 5,893,399

6,102,195

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Stephen J. Foss

Internal Address: Harness, Dickey & Pierce, P.L.C.

Street Address: P.O. Box 828

City: Bloomfield Hills State: MI Zip: 48303

6. Total number of applications and/or patents involved: 21

7. Total fee (37 CFR 3.41)\$ 840.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayments to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephen J. Foss
Name of Person Signing

Signature

March 6, 2002
Date

Total number of pages including cover sheet, attachments, and documents: 9

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

BILL OF ASSIGNMENT

THIS BILL OF ASSIGNMENT ("Agreement"), effective October 1, 2001, (the "Effective Date"), is made and entered into by and between CTB, Inc., an Indiana Corporation, (hereinafter "CTB"), and CTB IP, Inc., a Delaware corporation, (hereinafter the "Company").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CTB hereby conveys, transfers, assigns, and delivers to the Company, and its successors and assigns, as a capital contribution and the Company hereby receives, accepts and assumes, all the assets and liabilities, if any, described on Exhibit A hereof ("Capital Contribution") to have and to hold forever, including said trademarks and tradenames together with the good will of the business symbolized by said trademarks and tradenames. The Capital Contribution also includes the entire right, title and interest in the United States of America to the inventions as described in the patents identified in Exhibit A and any extensions thereof as fully and entirely as the same would have been held by CTB had this assignment and sale not been made. The Capital Contribution further includes all past causes in action associated with the assets set forth in Exhibit A.

CTB hereby covenants and agrees to and with the Company, and its successors and assigns, to do, execute, acknowledge and deliver, or to cause to be done, executed, acknowledged and delivered, to the Company, and its successors or assigns, all such further acts, deeds, conveyances, transfers, assignments, powers of attorney and assurances as may reasonably be requested by the Company in order to facilitate and evidence the conveyance, transfer, assignment and delivery, or to aid and assist in collecting or reducing to possession, any or all of the CTB assets included within the Capital Contribution.

This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of CTB and the Company.

IN WITNESS WHEREOF, CTB and the Company have caused this Bill of Assignment to be duly executed as of the date first above written.

CTB, INC.

By: Don J. Steinhilber
Don J. Steinhilber
Vice President and
Chief Financial Officer

CTB IP, INC.

By: Gary R. Mallory
Gary R. Mallory
President

Exhibit A

CTB Patents

<u>Acct.#</u>	<u>CASE #</u>	<u>SERIAL #</u>	<u>FILING DATE</u>	<u>TITLE</u>	<u>PATENT #</u>	<u>ISSUED</u>	<u>MAINT. FEE</u>	<u>EXPIRES</u>
10.2641.300	1	08/126,270	9/24/1993	Even Fill (Fill Deflector) (Method & Apparatus for Distributing Granular Material Within a Container)	5,421,379	6/6/1995		9/24/2013
10.2641.300	1/WO/POA	US9,410,765	9/23/1994	Even Fill (Fill Deflector) (Method & Apparatus for Distributing Granular Material Within a Container)	N/A			Nationalized
10.2641.300	1/CPB	08/373,787	1/17/1995	Even Fill (Fill Deflector) Method and Apparatus for Storing Material within a Container which is Exposed to Rain	5,608,359	2/18/1997		2/18/2014
10.2641.300	1/CPC	08/801,953	2/18/1997	Even Fill (Fill Deflector) Method and Apparatus for Maintaining Uniform Mass Flow of Granular Material out of a Container	5,906,293	5/25/1999		9/24/2013
10.2641.218	2	08/160,397	12/1/1993	Turbo Fan (Method and Apparatus for Circ. Air)	5,567,200	10/22/1996		12/1/2013
10.2641.300	3	29/013,481	9/24/1993	Even Fill (Fill Deflector) Design Apparatus for Distributing Granular Material Within a Container	D365,575	12/26/1995		12/26/2009
10.2641.218	4	29/015,903	12/1/1993	Turbo Fan (Design Motor Mounting for a Fan Assy.)	D363,982	11/7/1995		11/7/2009
10.2641.218	5	29/015,911	12/1/1993	Turbo Fan (Design Motor Mounting for a Fan Assy.)	D363,117	10/10/1995		10/10/2009
10.2641.218	7	08/183,125	1/18/1994	Super Selector (Method and Apparatus for Controlling Temperature within Poultry House)	5,492,082	2/20/1996		1/18/2014
10.2641.218	9	08/545,340	10/19/1995	Spring Lock (Storage Bin w/ Retractable Lid Assy.)	5,839,597	11/24/1998		10/19/2015
10.2641.218	10	29/049,328	1/23/1996	(EZ Fan) Fan	D410,077	5/18/1999		5/18/2013
10.2641.300	12	09/099,971	6/19/1998	Idle Pulley for a Conveyor Assembly	6,273,244	8/14/2001		6/19/2018
10.2641.300	13	09/294,750	4/19/1999	Method and Apparatus for Enabling Opening and Closing of a Hinged Door	6,061,968	5/16/2000		4/19/2019
10.2641.300	15	09/822,378	3/30/2001	Method and Apparatus for Adjustably Directing Granular Material Out of a Container and Reducing Outlet Pressure in a Container	N/A	Pending		N/A
10.2641.300	16	09/836,516	4/17/2001	Intermediate Discharge for an Enclosed Roller Belt Conveyor Assembly	N/A	Pending		N/A
10.2641.218	17	60/267,912	2/9/2001	(Black-Out Fan) A Method for Enhancing Poultry Production	2/9/2001	Provisional		2/9/2002

Exhibit A

CTB Patents

<u>Acct.#</u>	<u>CASE #</u>	<u>SERIAL #</u>	<u>FILING DATE</u>	<u>TITLE</u>	<u>PATENT #</u>	<u>ISSUED</u>	<u>MAINT. FEE</u>	<u>EXPIRES</u>
10.2641.300				Dust Control System	5,544,686	8/13/1996		11/3/2014
10.2641.300				Grain Sweeper Device Apparatus	5,769,590	6/23/1998		8/29/2016
10.2641.300				Grain Sweeper Device Apparatus	6,039,647	3/21/2000		7/9/2017
10.2641.300				Mech. for Reducing Dust from Grain Bins	5,893,399	4/13/1999		12/22/2017
10.2641.300				Improved Power Belt Conveyor	6,102,195	8/15/2000		3/26/2019

Exhibit A.

CTB Trademarks

<u>Acct.#</u>	<u>CASE #</u>	<u>SERIAL #</u>	<u>FILING DATE</u>	<u>TRADEMARK</u>	<u>REGISTRATION #</u>	<u>ISSUED</u>	<u>RENEWAL</u>
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10.2461.300

DUSTMASTER

1,959.93 3/5/1996 3/5/2006

CTB Tradenames

TRADENAME

Business Unit

ABC Bin Sweep
 EVEN-FILL™ Material Deflector
 Chore-Time's FLAG™ System
 GENERATION III™ Feeder
 GENERATION 4™ Feeder

GSB
 GSB
 HPS
 HPS
 HPS